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11 Attorneys for Defendant
GOOGLE INC.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 ORACLE AMERICA, INC.,
16 Plaintiffs,
17 v.
18 GOOGLE INC.,
19 Defendant.

Case No. 3:10-cv-03561 WHA

**DECLARATION OF RENNY HWANG IN
SUPPORT OF ORACLE'S
ADMINISTRATIVE MOTION TO SEAL
RE ORACLE'S OPPOSITION TO
GOOGLE'S RULE 50 MOTION**

Dept. Courtroom 8, 19th Fl.
21 Judge: Hon. William Alsup

1 I, RENNY HWANG, declare as follows:

2 1. I am an attorney employed by Google Inc. ("Google"), where I have served as
3 senior litigation counsel for the last six years. My job responsibilities include, but are not limited
4 to, supervising our outside counsel in connection with litigation matters (such as this one), as well
5 as familiarizing myself with the areas of Google's businesses and documentation concerning
6 those businesses as they relate to litigation matters under my supervision. I submit this
7 declaration in support of Oracle's Administrative Motion to File Under Seal Portions of Oracle's
8 Opposition to Google's Rule 50(A) Motion and Exhibit A to the Silverman Declaration ("Exhibit
9 A"). *See* ECF No. 1958. I have knowledge of the facts set forth herein, and if called upon as a
10 witness, I could testify to them competently under oath.

11 2. I have reviewed Oracle's Opposition to Google's Rule 50(a) Motion and Exhibit
12 A. Pages 2, 3, 5-11, 6, 7, 13, 22-24, 25, 33-38, 41-42, and 44, 46, 47 of Exhibit A contain highly
13 sensitive confidential third party information, as well as Google's non-public financial data.
14 These slides contain information related to confidential third-party agreements. This information
15 is subject to stringent confidentiality requirements contained within the relevant agreement.
16 Indeed, Google places strict limits on who has access to the terms of these agreements to ensure
17 confidentiality is retained. Also, Google does not disclose this information to the public. Public
18 disclosure of this information could severely and adversely impact Google's ability to negotiate,
19 among other things, similar terms with other third parties in connection with similar agreements
20 now or in the future. In addition, Google does not publicly allocate revenue or profits to Android
21 separate and apart from Google's general business. Accordingly, Google considers the non-
22 public financial data identified in Exhibit A to be highly sensitive, and public disclosure of that
23 information could have significant negative effects on Google's business.

24 3. Page 10 lines 10-12 of Google's Rule 50(a) Motion, summarizes information from
25 pages 6-7 of Exhibit A. These lines contain highly sensitive non-public Android financial
26 information and confidential third-party information, and should be sealed for the reasons stated
27 in paragraph 2.
28

1 4. Exhibit A was not offered or admitted into evidence during the trial and is not
2 publicly available. Exhibit A is not part of the trial record: it was not shown in Court, used by
3 either party, or considered by the jury as part of its fair use deliberations. Nor is Exhibit A relied
4 on by Oracle as part of its opposition to Google's Rule 50 Motion. Oracle only cited Exhibit A as
5 evidence it *intended* to introduce if the trial proceeded to a second phase. On May 26, 2016, the
6 jury returned a verdict finding in favor of Google and thus the case will not proceed to a second
7 phase. Accordingly, Exhibit A will not become part of the trial record.

8 5. Pages 2, 3, 5-11, 6, 7, 13, 22-24, 25, 33-38, 41-42, 44, 46, 47 of Exhibit A
9 containing information related to Google's financials and sensitive third-party agreements and
10 page 10, lines 10-12 of Oracle's Opposition to Google's Rule 50(a) motion should therefore be
11 sealed.

12 I declare under penalty of perjury under the laws of the State of California that the
13 foregoing is true and correct to the best of my knowledge.

14 Executed this 27th day of May, 2016 at Los Altos, California.

15
16
17 By: 

RENNY HWANG